MESSAGE

OF

JOSEPH A. WRIGHT,

GOVERNOR OF THE STATE OF INDIANA,

DELIVERED BEFORE THE

GENERAL ASSEMBLY.

JANUARY 9, 1857.

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MESSAGE.

Gentlemen of the Senate,
and of the House of Representatives:

In the name of the people of this State, I welcome you, as their appointed servants, assembled under the constitution and the laws to guard their rights and to promote their welfare. The cares of national polity and foreign diplomacy demand nothing of your immediate oversight. These grave and world-wide interests are wisely committed to other hands, and to you are left matters of more domestic and peaceful concern—the agricultural, educational, and other civil and industrial interests of your own homes and fire-sides. Let no difference of opinions, concerning national polity, however actively developed amid recent events, mar the fraternity and unanimity with which you address yourselves to the business of promoting the internal interests, and improving the domestic policy of your own State.

The recent election of a chief magistrate of this great nation, involved, during its pendency, an unusual degree of popular excitement, attended with acerbity and fears. But the crisis came, and has passed. The silent ballots of four millions of freemen have assuaged popular excitement, and dissipated partisan fears. The people prosecute their usual avocations, and find peace and rest in their domestic interests and pursuits—looking for good, where many have prophesied only evil, and determined to sustain the right, by whatever hand it is administered. In like manner, gentlemen, may the excited discussions in which you have, elsewhere, participated, be forgotten, in the eagerness and unity with which you, here, direct your thought and efforts to the security and advancement of our domestic prosperity.

It affords me pleasure to say that, during the past two years, the general condition of the State has been that of peace and prosperity. All our various interests, agricultural, manufacturing, and commercial, are in a prosperous condition; our State maintains a growing and commanding position among her sisters of the con-

federacy; the laws, with their benign influence, are respecte among our people; and though during the past year, the agricu tural interests of some portions of the State have suffered fro the drought of the season, yet we have ample cause to rend thanks to a superintending Providence for the innumerable bles ings which have been bestowed on our land and people.

The first subject that demands the consideration of the Repr sentatives of the people, is that of the financial condition of th State. It is gratifying to know that economy has been observe in your public expenditures; the interest upon your public deb promptly discharged; and the reduction of the principal n overlooked.

The amount of the ordinary expenses of the State governmen for the year ending October 31, 1855, was $147,442 61. Th same, for the year ending October 31, 1856, was $59,522 6 The excess of expenditure, for the year 1855, over that of 185 was caused, mainly, by the expenses of the Legislature, and ma ters necessarily connected therewith. This expenditure of $59 522 68, for the ordinary annual expenses of a government of mo than one million four hundred thousand inhabitants, is believed t be less than the ordinary annual expenditures of any of our siste States.

Among the first subjects which demand your prompt attentio is that of providing, by law, for the reappraisement of the lande property, for taxable purposes. The propriety of this is so man fest, that, I trust your early action will enable the county office to commence this work before the expiration of your session.

In accordance with the provisions of the charter of the Stat Bank of Indiana, its corporate powers will cease on the first January, 1859—the intervening two years to be occupied in wind ing up and liquidating its affairs. The State, as joint owner, i deeply interested in the safe and successful closing up of this in stitution. In the main, it has been managed with prudence an sagacity, and with a view to the profits of the stockholders, an the general interests of the people of the State. Few institution of the kind have enjoyed, so generally, the confidence of the pub lic. In its organization, the rights of the whole people were se cured; the provisions of the charter, and the practice under it strictly guarding against every species of favoritism. Books fo the subscription of stock were faithfully kept open for the space o thirty days. Fortunately for community, and the management o the corporate powers of the Bank, much of the stock was taken in few shares, by our own farmers, mechanics, and merchants. I commenced its operations, therefore, under the auspices of a fa vorable public sentiment, and has experienced, throughout its ca reer, instead of hostility, the most decided marks of friendship an good will, at the hands of our citizens. Like all banking corpora tions, however, it has had its favorites in many portions of th State, and has been, in many respects, a splendid monopoly.

It will be seen from a communication from the President, which herewith transmitted, that the interest of the State, in the Bank, pon the final closing up of its concerns, after the payment of the nds issued on account of the capital stock, will, in his opinion, prudently and safely closed up, amount to a sum of near two illions of dollars. Efforts will be made to divert this vast fund om its appropriate channel, and, in some manner, to control it r the promotion of private interests. In anticipation of such efrts, it is earnestly recommended that no sale, or transfer, of the terest of the State in the Bank, shall be permitted, either to inviduals or corporations.

The charter confers ample power, and defines the particular ode in which the affairs of the Bank shall be closed. Its capital to be converted into cash, and the part belonging to the State, aid to the Sinking Fund Commissioners—officers of your own reation, selected from the whole people, and having no connecon with the Bank, either as stockholders or borrowers, to be by iem invested, as the law may direct, for purposes of Common chool Education. A fund so sacred, and for purposes so benefial to the people of the State, should be, forever, preserved inviolate. It should not be permitted to tempt the cupidity of indiiduals, or used to augment the powers, or swell the coffers of any orporate monopoly.

The present mode of investment of the Sinking Fund, is, chiefy, in mortgages upon the real estate of our citizens. The facilies thus afforded for borrowing money, create a spirit of specuation, often terminating in bankruptcy and ruin to the borrower. The long lists of lands forfeited to the Fund, for the non-payment f principal and interest, admonishes us to seek for some other iode of investment, which shall be equally safe and productive. have repeatedly suggested, and now renew the recommendation, hat the Sinking Fund Commissioners should be authorized to inest this Fund, from time to time, as it may accumulate in their ands, in the Bonds of the State, under appropriate limitations, as o principal and market value; thus changing the character of our bligations, from a foreign to a domestic debt; the interest upon vhich, when collected from our own people, shall be immediately e-imbursed to them, in the accomplishment of that high and most nnobling object of human government, the education of our youth. t is a high trust, and will be most truly performed, when we shall connect the education of our children with the character, integity, and honor of the State. In this manner, at least one-third f our whole foreign indebtedness may be absorbed; thus lessening the burdens of the people, and elevating the financial charaer of the State.

The entire amount of the Funded Debt of the State, outstanding, is stated by the Auditor of State, as follows:

Of 5 per cent. State Stock,	$5,156,500
Of 2½ per cent. State Stock,	1,812,577
Total,	$6,969,077

The market value of which, estimating the 5 per cent. at eighty-four cents, and the 2½ per cent. at sixty cents, upon the dollar, would be the sum of $5,419,006.

To show the practicability of converting this foreign debt into a domestic one, the following table is compiled from the report of the Superintendent of Public Instruction, and from the communication of the President of the State Bank:

EXHIBIT OF COMMON SCHOOL FUND.

Amount of Special Fund,	$1,862,574 99
Amount of Common Fund,	894,930 15
Bank Tax Fund, on loan from State Treasury,	6,626 85
Bank Tax Fund, on hand in State Treasury,	10,607 83
Saline Fund, on loan,	9,689 22
Saline Fund on hand in State Treasury,	10,531 88
Estimated value of unsold School Lands,	161,590 00
Estimated value of Sinking Fund in State Bank, to date,	1,955,461 59
Total,	$4,912,012 42

The Sinking Fund Commissioners should be directed, by law, to invest these funds, as they may accumulate in their hands, in the stocks of the State; and they would, alone, be sufficient to absorb nearly our entire indebtedness. The policy, however, of continuing the annual Sinking Fund Tax, for the liquidation of our debt, should not be abandoned. On the contrary, as every interest of the State is buoyant and prosperous, it should, in my judgment, be increased to five cents on the hundred dollars, per annum. If practicable, the first investment, of either our Sinking Fund or School Fund, should be made in the 2½ per cent. Stocks. With this annual dimunition of our indebtedness, and the investment of the School Fund as indicated, in less than eight years we shall convert our foreign debt into a home debt; the interest upon which, when drawn from our taxpayers, would immediately be returned to them, in a thousand streams of intelligence, blessing, with their benign influence, parent and child, and elevating to the highest pinnacle of honor the character of our beloved State.

On reference to the report of the Auditor of State, it will be seen that, under the restrictions of the amended Statute, the currency of the Free Banks is amply secured, and fully entitled to public confidence. If Banks of issue be necessary at all, they should be as free as possible from the feature of monopoly; and, in this re-

spect, therefore, the system of Free Banking is entitled to our approbation. To perfect the system, however, a Banking Department should be created, separate and distinct from all others, but subject to the inspection and supervision of the Executive Officers and the Legislature. The concise and the able report of the Auditor of State, and his valuable suggestions, in this department, are commended to your consideration.

While to other subjects we apply the rigid test of sound, practical, common sense, upon the subject of currency, we cherish the shadow and reject the substance. Not content with such issues as are tolerated by law, the solvency of which has been guarantied by legal enactment, we have encouraged and fostered the purious and fraudulent emissions of individuals, Plank Roads, and Insurance Companies; all having an origin in our own State, and existing in defiance of law, and sound public sentiment. In addition to this, Indiana has been the great field for the circulation of the worthless and fraudulent issues of other States, sent here by unprincipled speculators, who amass fortunes at the expense of the unwary and credulous. In all these cases, when the bubble bursts, the worthless rags are found in the hands of the poor and laboring classes. The result of a toleration of this policy, is, to make the rich richer and the poor poorer.

It is in your power to apply the remedy, to protect your constituents from imposition and loss, to prohibit the circulation of an irresponsible currency, by severe penalties, and to prevent, as soon as practicable, the diffusion among our people, of any currency but that which is constitutional, or such as may be promptly convertible into coin. It will be a most fortunate day, when we shall have learned the simple truth, that we can never have steadiness, and permanent prosperity, in the business of the country, so long as we shall continue to encourage any system that converts promises to pay, into money.

It was the intention of the framers of the Constitution, and they expressed it in language too plain to be misunderstood, that there should be but one State Bank in Indiana, at the same time; and yet, in the face of this provision, four years before the expiration of the legal existence of the State Bank of Indiana, the Legislature of 1855, chartered a new State Bank, under the name and style of the Bank of the State of Indiana.

It is the spirit of our Constitution, that the people are the source of all political power; and, therefore, all legislation affecting their interests, or the character of the State, should emanate directly from them. But, in the case of the charter of the Bank of the State of Indiana, the subject was sprung upon the Legislature, without previous discussion, without notice, without investigation, without any expression of the popular will, and without any indication of public sentiment, in favor of the measure. If such legislation were valid and constitutional, two years before the expiration of the charter of the State Bank, what is there to prevent

the present or any succeeding Legislature, from extending the monopoly of the business of banking for another period of twenty years, to the same, or other more importunate corporators? If such is to be the interpretation of our Constitution, and the practice under it, it is the sheerest mockery to talk of a government of the people. One mischievous, reckless, or ignorant Legislature, in an age, might thus inflict upon the State a catalogue of evils which would require the wisdom of an age for their removal; involving, among other evils, the destruction of one of the main supports of public virtue, the supremacy of the voice of the people at the ballot box.

The means and appliances brought to bear to secure the passage of this charter, would, if exposed to the public gaze, exhibit the darkest page of fraud and corruption that ever disgraced the Legislature of any State. While men of pure and honorable sentiment were led into its support, in the belief that the approaching close of the existing Bank, required them, thus early, to provide a successor; others supported it upon promise of stock, equivalents in money, or pledges as to the location of particular branches. To make up the constitutional vote in its favor, the names of members were recorded in its passage, who were, at that moment, absent, and many miles distant from the Capital. But, if fraud and corruption marked the passage of the bill, the enormities practiced in the location of the branches, and the distribution of the stock, were still more glaring, and, if possible, more deserving of public condemnation. The location of the branches, the privileges of subscribing to its stock, in short, the franchises of the Bank, were bought and sold, like other marketable commodities. In some of the branches, the books for the subscription of stock were kept open but a few minutes, and were then only accessible to parties to the fraud; in other instances, they were opened in out-of-the-way places, known only to a few; and, in scarcely any instance, was full and free opportunity given, for citizens generally, to subscribe. In two or three cases, suits were brought by those who felt aggrieved; but their complaints were stifled by the potent agency of money. In this manner, a majority of the stock, in the seventeen branches first organized, was subscribed by twenty-eight individuals, the largest portion of whom have never been engaged in the business of banking, and have, already, disposed of their stock, to others, at enormous premiums.

It would be interesting and instructive, to have, for comparison, the names of the original, and the present, stockholders. The sudden transfer of stock, would convince the most incredulous, that the charter was procured, not for purposes of banking, but for speculations; for the benefit of the few to the exclusion of the many. The premiums thus realized by the original stockholders, are believed to be not less than one quarter of a million of dollars; all of which must be re-imbursed by the laboring and producing classes. Had the State exacted such a bonus from the corporators,

to be paid into her treasury, it might, at least, have been said, that, in this respect, the whole people were benefitted.

Having a knowledge of these facts, and regarding the charter as a direct violation of the Constitution, I caused two suits to be brought—one in my own name, and one in the name of the State—for the purpose of testing its validity. The first has been decided, without touching any of the great points involved in the issue. The second is still pending, and will, in its progress, fully test the rights of the corporators. The Supreme Court have already intimated such an opinion, in regard to the adoption of amendments to bills upon the passage, as must, inevitably, render the charter a nullity

In view of all these facts, it is my solemn conviction, that public credit and confidence can never be given to an institution of this character. I recommend, therefore, that the charter be expunged from the statute books; or, failing in this effort, that all connection between the Bank and the State, either by deposit of funds or otherwise, be prohibited, and that it be prevented from re-issuing the notes of the present State Bank, by the penalty of a forfeiture of the securities received therefor.

The charter should be promptly and absolutely repealed, so that no sanction, whatever, to its legal existence shall appear upon your statute books. The safety of the public funds should also admonish you to prohibit the reception of its issues for public dues.

The Legislature owe it to themselves, to the cause of honesty and justice, to the credit of the State, and to the constituents they represent, to take prompt and decisive action in the premises. When the present State Bank shall have been entirely wound up, and all its affairs liquidated, should the people then desire another institution to succeed it, their representatives will come instructed to that end, and can frame a charter which, guarding the rights of all, shall not be subservient to the purposes of private speculation. If it be good, the whole people should be permitted to participate in its benefits; if it be otherwise, it should be promptly suppressed.

It may be said that the new institution is now in the hands of safe and responsible men, and that their rights of property should not be disturbed. In answer, it may be stated that they purchased the stock, with full knowledge of the frauds; that the stock, instead of passing into the hands of our citizens, our farmers, merchants, and mechanics, as in the former Bank, is being transferred to men beyond our limits, who have no other interest in the prosperity of our State, than to make it the theatre of their speculations. Nor have we any guaranty, or assurance, that, however solvent the present stockholders, the stock may not, in the first moment of disaster, be transferred to others, without character, or responsibility.

With the extended powers and privileges conferred on this institution—its right to issue post notes, to discount upon deposits, and

to defy the scrutiny, or control of the Legislature—it is believed that no prudent capitalist would ever invest his money in it.

On the 3d of July last a proclamation was issued by the Executive, upon the subject of the apportionment of Senators and Representatives, and their election. The Constitution, which is the paramount law of the land, provides for, and establishes, a General Assembly, to be composed of the members of a Senate and House of Representatives, who are required to hold biennial sessions, at the capital of the State, on the Thursday next after the first Monday of January, 1853, and on the same day of every second year thereafter. Under this Constitution, a legislature enacted and established an apportionment law, dividing the State into senatorial and representative districts. In accordance with that law, the General Assembly of 1854 was elected.

The Legislature, thus elected, failed to comply with the requirements of the Constitution, in regard to the making of proper laws to provide for the organization of a future Legislature. This neglect of the General Assembly does not, in any manner, impair, or lessen, the power of the Constitution, as to the necessity of having and sustaining a State Legislature. Surely, the neglect of one branch of the government to perform its duty, will not, of itself, work a revolution, or destroy the functions of government. It is, in forming Constitutions, an essential principle that the government should contain, within itself, the power of self-preservation.

The Executive Department is invested with no authority to exercise the legislative powers of government; and, in this instance, no legislative power was exercised. The Proclamation, from the necessity of the case, took the existing apportionment, as it stood at the last election under the law, and recommended the election of members to fill the number necessary to make a constitutional Senate and House of Representatives, upon precisely the same *ratio* and apportionment which existed when the General Assembly adjourned. In the same number, representing the same territory and population as when you adjourned, you have assembled at the present time.

Convened under the Constitution, clothed, by the people, with the sovereign power that belongs to a General Assembly, it is your duty to fix, by law, the number of Senators and Representatives that shall compose the future Legislatures, and to apportion such Senators and Representatives among the several counties, according to the number of white male inhabitants, above twenty-one years of age, in each.

The cause of Education is second to no other claiming legislative attention and action. Mental development invariably precedes physical improvement. Enlightened mind is the real source of all advancement in agricultural science, mechanical invention, and political progress; and, therefore, the educational interests of the State will merit and receive a share of your attention.

The report of the Superintendent of Public Instruction, for the last year, which has been laid on your table, will present the results of the operation of the school system, during the first year after its latest revision The wisdom of many of the changes, introduced by your predecessors into our Educational Code, has developed itself more and more, during the two years which have transpired since the revision. Though not perfect, it has fully justified all reasonable expectation, and confirms the belief that it rests on a basis of sound principles, and reliable experience. Suggestions contained in the aforesaid document and the forthcoming report, will, doubtless, receive due consideration. The Library system has more than realized the expectations of its friends, and fully redeemed the pledges of its most earnest advocates. The extent to which it has been used in many townships in various parts of the State, seems almost without a parallel, demonstrating its power and usefulness as an educational instrumentality. I would, most earnestly, recommend that it be made a permanent feature of the system. A reduction of the present tax for its support, of at least three-fifths, would be no detriment to its healthy progress.

The peculiar requisitions of the Constitution, as defined by the Supreme Judiciary of the State, compel the Legislature to consider the claims of our youth to a period of tuition, adequate to their wants, and equal to their necessities. The townships have, to a great extent, nobly entered on the discharge of their duty, by the erection of school houses; having levied, within two years, more than three qnarters of a million of dollars on the property and polls, for that purpose. Being deprived of the statutory authority to assess a tax for tuition, they look to the Legislature, and demand a redemption of the Constitutional pledge to furnish the requisite amount of funds for this purpose. Is not this claim reasonable? Is it not unquestionable? Is it not just? Then, it should be promptly, and fully met. No consideration of economy should induce the Legislature to postpone the redemption of the educational pledge of the Constitution. Such claims are paramount to all others, and should be so regarded. Of equal urgency and necessity, is the want of competent instructors. Teachers' Institutes, or Normal Schools, are the appropriate remedies for this evil. As the State has not appropriated a dollar to this purpose, heretofore, the questions naturally occur—What does economy demand? What does justice claim? When the townships erect school houses, the State cannot honorably evade, postpone, or repudiate, the obligation to provide the appropriate means for a six months tuition annually for her five hundred thousand children.

The establishment and successful operation of a State Teachers'. Association, for the last two years, is an encouraging sign of progress; and the publication of a monthly Educational Journal, by the same Association, is, also, a significant sign, of the same general character.

The important service that this Educational periodical might render the State, suggests the propriety of enlisting it, as an auxiliary to the department of Public Instruction, in communicating with the township boards, and county Auditors.

You will perceive, from the report of the Superintendent, that our Colleges are in a flourishing condition; nobly competing with each other, in the race of usefulness in the higher departments of education. A condensed report of their history and progress, will be found in the report for this year—showing what our citizens have done in their associate capacity, for collegiate education.

Patents have been received for the additional grants of lands to the State University, at Bloomington. In disposing of these lands I recommend that the proceeds be set apart for the endowment of an Agricultural Professorship, in connection with the purchase of a farm, for practical test of labor, and agricultural improvement.

The question of providing, by the operation of judicious and effective laws, for the prevention or mitigation of those vices and evils, public and domestic, which have their origin in the intemperate use of intoxicating liquors, requires, from you, the most profound and serious consideration. The judicious legislator will look with more care to the prevention of crime, than to the punishment of its results.

In former communications, addressed to the General Assembly, on the subject of making laws to regulate the traffic in intoxicating drinks, and to check and restrain the vice of drunkenness, I referred to the danger of arousing a re-action in popular sentiment, by the enactment of laws so stringent that they could not be carried into effect. Subsequent events have developed nothing to induce me to change the views which were then expressed.

The constitutional right of the Legislature to make laws for regulating the traffic in intoxicating drinks, and for restraining and punishing the vice of drunkenness, has existed, sanctioned by judicial authority, from the organization of the government to the present time. The making of such laws, however, requires the exercise of a great degree of prudence. If the laws be too weak, they will become worthless, and fall into contempt, before the successful resistance of those who may undertake to violate them with a strong arm. On the other hand, if they are too severe, they cannot be enforced in communities where they may be regarded, by the prevailing popular sentiment, as oppressive interferences with personal rights and domestic privileges. The unwise policy of making laws which, owing to the state of public opinion, cannot be carried into effect, will always afford grounds of justification, or excuse, for an inefficient or weak administration of the best laws. There should be no dead-letter laws among our statutes.

A great increase of the number of places at which intoxicating liquors are sold, and a lamentable increase of the evils which grow out of the vice of drunkenness, are matters which you who

are charged with the duty of guarding the interests and promoting the welfare of the State, cannot overlook or neglect. Although we may, in many places, see the evidences of a re-action in public sentiment, apparently unfavorable to the cause of temperance, yet we will fall into a most injurious error, with respect to public opinion in Indiana, if we concluded, from these evidences, that the people of the State do not require some sound and effectual legislation to check and restrain the growth of those numerous and destructive evils, vices, and crimes, which afflict every community where the laws impose neither punishments nor restraints upon drunkards, nor upon those who constantly hold out inducements which tempt their fellow men to become drunkards. The agitation and discussion of this subject, by the people of the several counties, if necessarily connected with the selection of county commissioners clothed with ample power to restrain and regulate the traffic in intoxicating liquors, is worthy of your special consideration. Whatever differences of opinion may have been, heretofore, entertained on this subject, no man can shut his eyes to the fact, that, throughout our State, numerous places have been opened, or established for the unrestrained sale of spirituous liquors, in which the young and unwary have been decoyed to contract tastes and habits which the resolves of a subsequent life cannot control, if they have not already, entered upon the courses of dissipation and vice.

It is, imperatively, the duty of the Legislature, in the exercise of a wise discretion, to enact some constitutional law, in accordance with public sentiment, of sufficient stringency to restrain and suppress this growing evil; and I doubt not this subject will receive, at your hands, such consideration as its importance requires.

On a review of the late elections, it is apparent to all, that our laws have failed to preserve the purity of the ballot box. While there is a difference, in regard to the proper remedy, an effort is made to direct public sentiment in favor of a registration of voters. But the practical workings of registry laws, in other States, have failed to convince me of the adaptation of such laws to our community. The officer making the registry is as liable to be imposed upon as the judges of our elections; and as wide a field for fraud and corruption would be opened, as exists under the present system.

A remedy for illegal voting may be found, by requiring an actual residence in the township, or election precinct, of not less than sixty days prior to the time of voting, and by the multiplying of election districts; thereby avoiding the collecting of large bodies of voters at one place, and lessening the facilities for fraudulent voting. Where few voters are congregated at a single precinct, there will be little danger of excited and angry feeling; the right of suffrage will be exercised with more freedom and deliberation; and the voters will be more generally known to each other and to the officers of the election. The penalties for illegal voting

and for aiding and abetting thereto, either by solicitation, intimidation, or transportation, should be largely increased.

The practice of betting upon elections is a great and growing evil, tending, more than any other cause, to destroy the purity of the ballot box, and the practice should be visited with the severest penalties. The history of the past year has satisfied me that, unless some effectual means can be adopted to protect the elective franchise from corruption and desecration, our institutions will soon be at the mercy of an unlicensed mob.

The Report of the Trustees of the Wabash and Erie Canal will be laid before you. It will be seen that the Trustees have caused the standing timber on the Birch Creek Reservoir, in Clay County, to be removed, at a very heavy expense; thus allaying all cause of complaint on the part of the inhabitants residing in the vicinity of that work. Though the best medical authorities reported, under a law of the Legislature, that this standing timber would not prove injurious to the health of the surrounding country, yet so completely did a contrary opinion take possession of the public mind in that vicinity, that, on two several occasions, since the last meeting of the General Assembly, that necessary feeder to the canal was destroyed by an armed assemblage of a portion of the inhabitants of the country.

These outrages were promptly reported to this department, and I lost no time in adopting such measures as were, in my opinion, best calculated to re-establish the supremacy of the laws in that hitherto peaceful community. In the exercise of the power given by the Constitution, a proclamation was immediately issued; and other outrages being committed, and threatened, not only upon the Canal, but on private property, an adequate force was immediately despatched to the scene of lawlessness. Determined to sustain the law, restore order, and, if possible, punish the aggressors, my duty was plain. Some arrests were made, and trials had, which resulted in the discharge of all the persons implicated. Peace and order, however, were restored and maintained.

As the only cause of complaint is now removed, may we not hope that the people in the neighborhood of this Reservoir, as well as all other citizens, will refrain from further hostility and violence to the works and structures of the Canal? That the Trustees had a perfect right to construct the Reservoir, and that they adopted the mode of its construction from the original plans and surveys of the State authorities, and by the examples of other States, are matters which admit of no doubt. That the persons engaged in the destruction of the Reservoir, were misled by the belief that the health of the county was endangered by the timber remaining on the submerged land, is equally clear and undoubted; and if any thing could justify their conduct, this mistaken conviction would be a palliation of it.

It will be seen by reference to the report of the Trustees, that there is a serious diminution of the receipts of tolls on the Canal,

as compared with the income of 1854, and the preceding year. By the report of 1855, made to this department, it will be observed that the tolls for that year fall short, more than forty thousand dollars, of the income of the previous year; and that the receipts for the year just closed, show a still further decrease of twenty-six thousand dollars below the revenue of 1855 — making, in two years, an aggregate decrease of sixty-six thousand dollars

This decline in the revenues of the Canal, seems quite extraordinary; and especially, as it is believed that the navigation was maintained with fewer interruptions than occurred in the year when the revenues yielded the highest income. The report of the Trustees will explain this extraordinary decrease; and to that report your attention is respectfully directed.

It is gratifying to have the assurance, contained in the report of the Trustees, that the completion of the Reservoir at Birch Creek, and other precautions to secure a good supply of water, will ensure, for the commerce of the next season, a more reliable navigation than that of any previous period. The Canal is now considered in good repair; and such arrangements are being perfected as will give certainty and promptitude to the transmission of the productions of the soil, to northern or southern markets.

This canal is the longest artificial water communication in the United States, and has always been a cherished work of Indiana. As a check on high and exorbitant charges, by other and competing modes of transportation, the people of Indiana have a direct interest in the maintainance of the Wabash and Erie Canal, and in its successful results as a measure of revenue to those for whom it is held in trust. The contract between the State and her creditors, was fairly and deliberately made; and it is the highest duty of the State to keep, and perform, faithfully, all of her obligations, and to require the same on the part of others.

Agricultural improvements is visible in every portion of our State. The action of the General Assembly, in making a small appropriation to aid this cause, is exerting a most beneficial influence. A la ge majority of the counties have well organized agricultural societies, whose delegates are now in session with the State Board of Agriculture; and, throughout our State, the increasing interest that is manifested in advancing the cause of agriculture, and other branches of home industry and skill, is rapidly augmenting the amount and value of our domestic products. It is suggested, that it would be productive of good results, to amend the present law, so as to make the Presidents of county societies, or other delegates appointed by them, constitute the State Board.

Having, on several former occasions, urged upon the Legislature the duty of providing for a thorough scientific survey of the geological character of the State, I regret that my recommendations upon a subject of such vital importance to the prosperity of the people, have failed to convince the proper authority of the propriety of making the necessary provisions for such a survey.

While the resources of our sister States have been thus developed, and immigration and wealth thereby attracted to them, we have neglected to lay bare the hidden treasures which Nature has garnered up; and, but for accident, or individual enterprise, we should have remained in the most profound ignorance of the mineral resources of our State. Enough has been ascertained to convince us of their existence and extent; but the hand of science is needed to show us their value, and their localities.

Within the last year, discoveries have been made of extensive beds of iron ore, in Perry county, in the immediate vicinity of formations of coal and limestone; and individual explorations, in other portions of the State, have been equally productive. I therefore, earnestly, renew the recommendation for an appropriation for a thorough geological and topographical survey of the State.

In consequence of the excessive drouth of the past season, extending nearly throughout the entire year, our citizens, in common with those of other States bordering upon the Ohio river, have suffered greatly from the obstruction to navigation on that great national thoroughfare. In our own river towns, business has been paralyzed, manufacturing has been suspended, commerce has drooped, and thousands have suffered from the limited supply, and exhorbitant prices of fuel. The frequent occurrence of this state of things, has caused public attention to be directed to the necessity and practicability of improving the river, either by dams and slack water navigation, or by providing vast reservoirs of water in the gorges of the Alleghenies.

However numerous our lines of Railway, even were they to penetrate every county in our State, we could never dispense with this great artery of commerce. It washes the borders of six sovereign States, with a population of near ten millions; and bears upon its bosom the fruits of their soil, the products of their manufactories, and the coal and minerals produced from their mountains. From reliable sources, it is estimated that the value of products annually transported upon this great highway of commerce, is not less than one hundred millions of dollars. The most strict constructionist could scarcely raise a doubt of the constitutionality of appropriations by the General Government for the improvement of the navigation of the Ohio river; and I earnestly recommend you to call the attention of Congress, through your representatives, to the pressing necessity of this important work.

Nothing, during my connection with the government of the State, has occasioned so much embarrassment in the discharge of my official duties, as the neglect of the last Legislature to make the necessary appropriation for the support of the State Prison, and to appoint the directors for its management, as required by law. This neglect imposed on me the alternative, either to appoint the directors myself, or to convene the Legislature for that purpose, at great expense to the State, and under circumstances in which I could see no grounds of assurance that the members

could agree upon a selection. In this emergency, I assumed the responsibility of making the necessary appointments, and selected as such directors, Messrs. Grafton F. Cookerly, of Vigo, George F. Savitz, of Clark, and Samuel F. Owen, of Floyd.

The contract with the lessee of the prison, expired on the 15th of June, 1856. On the next day, a portion of the prisoners, having become excited under the inflammatory appeals of a newspaper circulated among them, rose in resistance against the authorities and fired the hospital. Through the promptness and efficiency of the fire companies of Jeffersonville, and those of our sister city, Louisville, the fire was extinguished before it had occasioned much loss, and the mutinous conduct of the prisoners was promptly checked. The propriety of tendering to the fire companies some suitable testimonial of their effective and disinterested services, is respectfully suggested.

The Report of the directors and officers of the Prison, exhibits the workings of the system, under the control of the State, for the first six months. During this period, it has more than realized our expectations, in economy of management, in the deportment of the prisoners, and in order and cleanliness; in all of which there is a manifest improvement. It is proper to say, that whatever defects, heretofore, existed in these respects, were the faults of the law, and not of the contractor.

Although it is not anticipated that the Prison can be made, to any considerable extent, a source of revenue, it is already apparent that, even in this respect, with proper management, its net income will be larger than any amount which the State could possibly realize under the contract system.

The object of all prison discipline should be, not merely to punish the offender for his misdemeanor, and restrain him from the further commission of crime, but, by suitable reformatory means, by virtuous example and Christian counsel, to prepare him for a re-entrance into the society of his fellows. Should the labor of the prisoners be productive of an income beyond the expense of their imprisonment, a portion of such net proceeds might, with propriety, be devoted to the support of their families; or distributed among those who, on leaving the walls of the prison, had, by their good conduct, rendered themselves worthy of such favor.

Under no circumstances should the State again surrender her control of this institution; nor revive a policy which meets the condemnation of the civilized world. As far as possible, the convicts should be kept within the walls of the prison, and debarred from intercourse with others. The effect of the intermingling of hardened criminals with those not yet inducted into crime, is highly pernicious, and the practice should be rigidly discountenanced.

The report of the directors and officers discloses the fact, that more than one-third of the present inmates of the Prison would be proper subjects for the discipline of the contemplated House of Refuge. I commend to your special consideration this valuable

Report, which exhibits, fully, the details of our system of prison discipline. No appointment of Moral Instructor has been made. This service has been performed by the Rev. Leroy Wood, the former chaplain. The list of pardons, and remissions of fines and forfeitures, is herewith communicated.

Our Benevolent Institutions most deservedly command the respect and confidence of the people. Their several reports will present you with information, in detail, as to their expenditures, progress, and management. Tney are entitled to much of your consideration While our people look with pride to these monument of their liberality, they expect from you, their servants, the utmost economy as to their management.

Negotiations have not been concluded with the President of Liberia, for the purchase of land for our colored population, emigrating to that Republic. A communication, from President Benson, herewith submitted, shows his entire concurrence in the views taken by your State Board, and, doubtless, the necessary legislation, on the part of Liberia, was consummated in December last.

I rejoice, with you, at the well-merited rebuke which the proposition to renew the African Slave trade, has received at home, and abroad. God forbid that we should so far forget what is due to our own reputation, to say nothing of justice and humanity, as to renew and endorse a crime, that our fathers, in the purity of our government, called by the right name, Piracy.

The subject of African Colonization is one of deep interest to our people, and I earnestly recommend the usual appropriations, to aid this great cause of humanity, which promises so much good to the colored man, as well as permanent peace and harmony in our own commonwealth.

The frequent communications, and the amount of business transactions, which exists between citizens of the United States and the subjects of foreign governments, have induced several of the States to provide, by law, for the appointment of Commissioners of Deeds, authorized to take acknowledgments of Deeds, Depositions, Mortgages, &c. The propriety of making provisions to authorize similar appointments, on the part of this State, is submitted to your consideration.

The statute on the subject of granting divorces requires a revision which will relieve our Courts from the pressure of applications for divorce, for all imaginable causes, on the part of citizens of other States. You will, doubtless, promptly apply a remedy for this state of things by requiring of the parties, in such cases, an actual residence of two or more years.

The public records of the State, including those of the Supreme Court, and of the departments of the Secretary, the Auditor, and the Treasurer of State, are insecure, and liable to be injured or destroyed, by fire. In order to place these records in a condition of greater security, and to relieve the State from the payment of heavy rents, sound policy requires the immediate commencement,

on the ground occupied by the State Treasurer, of an edifice sufficiently commodious for the offices of State, Supreme Court, &c.; leaving the State House exclusively for the use of the Legislature, and the State Library.

The Governor's Circle, in the very heart of the Capital of the State, should be improved, by taking down the old dilapidated building which stands upon it; and, for the health and beauty of your Capital, the grounds should be set apart for a public park.

In preparing the plan of the proposed building, care should be taken to adapt it to the present and future wants of the State, not overlooking rooms for the collection and preservation of geological specimens, agricultural publications, valuable seeds, and models of useful farming implements, and other mechanical inventions.

A Bureau of Statistics is required for the purpose of ascertaining, and making known, from year to year, the progress of improvements in Indiana, and the condition of the various branches of productive industry in the State. It is a matter of astonishment that we have so long neglected the duty of providing means for the accomplishment of this important work. By means of a Bureau of Statistics—which may be organized and managed at an expenditure which would be inconsiderable when compared with the value of its operations—our citizens, and the people of other States, might receive annually, authentic information of the progress of improvement in the several counties of Indiana. Among other details, this information might embrace facts having reference to the following subjects, namely:—The quantity of land under cultivation; the kinds, amounts, and values of the annual field crops; the various annual productions of orchards, gardens, and dairies; the various articles of domestic manufacture, produced annually; the annual products of mechanical industry and skill; estimates of the amount and value of exports and imports; the names, locations, and population of towns and villages; the number and value of school houses and churches; the names, number, capital, and purposes, of incorporated companies, &c., &c. An annual statistical report, presenting, in detail, authentic information with respect to these subjects, should be made a permanent part of our domestic policy.

In connection with the proposed improvement at the Capital, your attention is invited to a consideration of the expediency of providing for an enlargement of the State House square. By vacating, for the distance of one square, the street north of the Capitol, by the purchase of two small lots, and by effecting, with the city authorities, an arrangment respecting the location of the Western Market House, the area of the lot for the use of the State House, may be enlarged, so as to form appropriate public grounds around the Capital of the State.

Having repeatedly called the attention of the Legislature to the necessity of placing additional restrictions and safeguards around the office of Agent of State, and feeling it incumbent on me to

exercise a careful supervision over it, I appointed Elijah Newland, of this State, and James F. D. Lanier, of New York, to examine, and report upon, its condition, and proposed various questions in reference to the subject. Owing to a pressure of business, Mr. Lanier declined the trust; and I therenpon appointed Washington De Pauw, who was in that city, in his stead. The report of the examiners is herewith communicated, in which, among other things, the propriety of appointing a Register of Stock, as a check upon the Agent, is suggested. As, however, there might be collusion between the Agent and Register, it would fail to afford the desired security.

Under the present system, the Bonds are executed by the Auditor and Treasurer, forwarded in quantities to the Agent, and only require his signature, and filling up, to render them valid, while upon the officer issuing them, there is no check whatever. That frauds have not, heretofore, been committed, is owing to the integrity of the officer, and not to any security afforded by the law.

It would, in my judgment, be preferable, in all cases of transfer of stock, to require the Bond, before its issue and after signature by the Agent, to be signed by the Auditor and Treasurer of State, and registered by them, in their respective offices. The slight delay would be more than counterbalanced by the absolute and entire safety and security which would be thereby furnished.

The annual Report of the Agent is herewith presented, to which your attention is invited. Monthly reports of the transactions of the Agent, have been furnished, in compliance with my requisitions. But even these would fail to correct the evil; for, whatever the competence or integrity of the officer, he is, necessarily, compelled to entrust a portion of his business to others, whose incompetency, or dishonesty, might involve the State in heavy losses. The prompt and decisive action of the Legislature, on this subject, is imperatively required.

The great and increasing prosperity of our State may be attributed, in no small measure, to results which have been produced by the operations of our Railroads—connecting, by a rapid transit, our business with the commercial cities of the Atlantic States, stimulating and rewarding the industry of our people, raising the value of real estate, improving our country, building our cities and towns, giving to the products of our agricultural labor a speedy and fair market, and increasing the strength of the sources of our revenues, by increasing, annually, the aggregate value of the taxable property of the State. In view of this subject, it is manifest that our Statutes should make no unjust discriminations in providing for the security of the rights of railroad Companies. The question of the expediency of revising our railroad laws, in order to establish them upon a more just and liberal basis, with respect to certain rights and remedies, is worthy of your consideration.

It would be well to require all foreign companies, running any parts of their roads through Indiana, to keep offices in this State, so that process may be served upon them, as it is served on our own corporations. In the assessment of damages for the rights of way, it seems that justice requires that the whole question, including the benefits as well as the injuries resulting to the owners of the land, should be left to the decision of the courts and juries, under the evidence. Much complaint is made in regard to the principle upon which taxes are assessed upon our roads. The subject is worthy of your consideration.

The Secretary of the Treasury has located, in this city, a site for a Post Office and Court Room, for the United States. It is necessary that the State should cede to the General Government the land in question, making provision, at the same time, to exempt the lot, and improvements thereon, from taxation. Your action on this subject should be prompt, in order that steps may be taken, at the opening of the season, for the commencement of the proposed public building.

In pursuance of a Joint Resolution of the General Assembly, I visited Washington City, and endeavored to adjust the outstanding controversey upon the subject of the three per cent. fund due the State from the General Government. The decision of the Secretary, with the full report of my proceedings in relation to the matters embraced in the Joint Resolution, will be laid before you. The question of the validity of the claim of the State, cannot be settled without the action of Congress.

The salaries paid to the Judges of our Courts are not sufficient to answer the demands of justice and sound policy. If we desire to have the full services of our Judges, and expect them to secure the confidence of the people, by a laborious and faithful discharge of their duties, it is absolutely necessary to increase their compensation. This is emphatically true in relation to the Judges of our Supreme and Circuit Courts. The compensation for the services of the Judiciary, above all other departments, should be such that the State could command, at all times, the services of our most worthy and competent men.

The increase of business in our Supreme Court, and the frequent equal division of the Judges, upon important questions, presents to you the propriety of providing, by law, for an additional Judge.

The salary of your Governor is wholly inadequate. Approaching the close of my official services, after more than seven years' experience, I feel no delicacy in speaking plainly on the subject. I have indulged in no unnecessary expenses; I have attempted to dispense that degree of hospitality necessarily expected of the chief officer of the State, in his intercourse with his fellow citizens from abroad, as well as those at home; and yet, I have no hesitation in saying that this can not be done, without drawing largely upon the private income of the citizen who may be called upon to

discharge the duties of Governor of your State. The highest and first office within the gift of our people should not be one which the wealthy, only, can afford to accept. I urge you to increase the salary of this officer, and to make the increased compensation apply to my immediate successor, by the enacting of a law to take effect before the commencement of his official term.

A communication from the Superintendent of Weights and Measures, at Washington, is herewith submitted. You will, doubtless, provide the necessary legislation, in order that the State may be placed in possession of a set of balances, intended for the adjustment of standard weights.

I herewith communicate the report of the commissioners appointed to investigate the affairs of the Madison and Indianapolis Railroad, with reference to the interests of the State of Indiana.

The views suggested by me, four years since, in a special message to the Legislature, to the effect that the system adopted for the sale and drainage of the Swamp Lands, would result in the frittering away and waste of the fund, have been fully confirmed. In some portions of the State, much good has been accomplished, by reclaiming large bodies of lands, making them a source of revenue to the State, and promoting the general health.

Two years since, the Auditor of State, who has nearly the entire management of this trust, reported to me, that the Treasurer of Jasper county was largely in default to the fund; which allegation that officer denied. Upon examination of the facts in the case, I deemed it my duty to remove him from office, and to appoint a successor. The validity of the appointment was contested, and the question has not yet been decided by the court.

Large contracts for draining lands have been let by the officers of Jasper county, in a manner not conformable to the law. These transactions it will be your duty to investigate thoroughly; and if any of the officers of State shall be found to have participated therein you will not hesitate to apply the proper corrective. Under no possible circumstances, should titles have been delivered to the contractors, for any of the lands, until the completion of their respective contracts. Immediately, upon being informed of the existence of these contracts, I promptly refused the execution of further patents. I am advised that, in these cases, large sums of money had been advanced for work in draining and ditching. As the work was progressing, speculators would buy up the lands, as fast as they were ditched. To obviate this, advance certificates were issued, and bond and security taken for the completion of the work, and in this way, secure the land to the contractor and laborer. In extenuation of the policy adopted, it may be found, upon examination, that large bodies of land have been drained and reclaimed, which would, otherwise, have remained valueless. Similar contracts were made in Gibson county, which resulted

satisfactorily to the State, and to the people. It would, however, have been more creditable to the parties to these contracts, if they had been laid before the Legislature, for approval.

Some modification of the law will be required to enable the State to complete the system of drainage, and make the unsold lands marketable. The propriety of reducing and graduating the price of the remaining lands, situated like those in Knox, and other counties, is, also, suggested.

A large body of lands, in Lake county, is overflowed by the waters of the Calumet, in consequence of a dam erected in Illinois, for the supply of the Illinois and Michigan Canal. A communication on this subject, from the Trustees of that canal, is herewith transmitted.

I regret to say that no selection has been made for the location of the site of the contemplated House of Refuge. Under the restrictions and limitations contained in the Act of the General Assembly, your officers could not make a selection suitable for such a building, and purposes. It is very desirable that, whatever action may be taken on this subject, the matter may receive your attention, at an early day, in order that the House of Refuge may be commenced with the opening of Spring. The propriety of establishing three Houses of Refuge—one north, one south, and one at the center—is worthy of special consideration.

We shall be unfaithful to the trust reposed in us by the people of Indiana, unless we address ourselves to her future, with a determination to cherish and augment her good name. Amid all the privations and hardships of a frontier life, and under embarrassments destructive of ordinary energies and integrity, she has fulfilled all her obligations, and clothed herself with prosperity and peace. Her broad fields, reclaimed from the sturdy forests, are pouring their wealthy harvests into the granaries of the East, North and South. With her increasing facilities of transportation, her growing population, her multiplying schools and institutions of learning, she is rapidly acquiring strength in all the elements which constitute a great, a powerful, and a prosperous State.

In this survey of her condition and prosperity, one of the most gratifying reflections is, that it is not for herself, alone, but also for her sister States, to whose wealth she contributes a generous portion, as well as to the strength of that confederacy in which she has received countless blessings, and to the peace and permanence of which, she deems it her duty, her pleasure, and her pride to contribute.

Of small account were our own prosperity, or our contributions to the material wealth of others, were it not that we can proudly say of Indiana, that, from the beginning up to the present hour, distinguished fidelity, in all her political relations to her sister confederates, marks and adorns her history. Central in position in this great family of States—bordering upon those which widely differ

from her in domestic policy—she has invariably recognized the co-equal sovereignty, and perfect equality of those around her, and has ever cheerfully accorded, within her jurisdiction, to all citizens of the Union, those rights which are clearly guarantied by the federal constitution—denying no right of property, and imposing no restriction upon opinions, discussions, or forms of political action. Regardless of her likes and dislikes, ever faithful to the federal compacts, she has resisted all attempts to lead her into any course of legislation against the interests or institutions of her sister States. No laws enacted in a spirit of resistance, or hindrance, to the constitutional enactments of the General Government, have ever found a place upon her Statute books. Emerging from the recent and exciting Presidential contest, unseduced by the ultraisms which have beset her on either hand, she has renewedly, and still more firmly established her reputation for fidelity and enlightened patriotism. Listening to no fanatical or sectional persuasion, whether coming to her on Southern or Northern breezes, she has followed only the guidance of the Constitution; and has borne aloft the flag of the whole Union, with profound respect and attachment to each and every star. She has sustained the supremacy of law—has triumphantly defended the vital principle of our Republic, to-wit: the right of the people everywhere, to choose and establish their own domestic policy.

We have again, given the weight of our influences, as a State, in favor of preserving that simplicity of structure in our form of government which it was the design of its founders to establish; by maintaing that policy which leaves the people of the several States and Territories of the Union, to depend more and more upon their own rights and their own resources, and confines the action of the Federal Government within the clearly defined limits of the Constitution—reserving the exercise of all other powers to the States, severally, and to the people.

Early and deeply impressed with the importance of electing a Chief Magistrate, from among the tried, experienced, and foremost statesmen of the country, the choice of Indiana was firmly fixed upon a distinguished statesman of Pennsylvania, as the one pre-eminently qualified to guide the affairs of the nation, and specially adapted, by his wisdom, and patriotism, to the exigencies of the existing crisis. The sagacity of our early and steadfast choice, urged upon, and ratified by the National Convention, has been confirmed by the voice of the nation; and we have the satisfaction of knowing that the considerate men of all parties are now looking with hope, to the unsullied character, the mature judgment, and the national spirit, of the President elect, as strong and peaceful guaranties that he will guide our councils to a happy issue; enforce obedience to laws; disarm contending factions; protect our foreign and domestic interests; and that diligently and successfully watching and guarding all the varied interests of our vast Regublic,

he will retire from office with the consciousness of virtue, ripe in years, and rich in the respect and confidence of a great and happy people.

Such, gentlemen, is the past and present name of our own Indiana which is committed to your care. Look wisely and carefully, to her future. Develop her wealth, encourage her industry; above all, so administer her government, so wield her power in the federal Union, that her historic record among her sister states may be, *obedience to the federal compact, faithfulness to others, and justice to ourselves.*

It is a source of great gratification to me, in reviewing the period of my administration of the Executive affairs of the State, to see so many substantial evidences of her increasing prosperity. During this time, not a single defalcation of any State or County officer, has occurred. The interest upon our public debt has been promptly paid, without imposing an oppressive burden on our people. Our domestic debt has been entirely liquidated; and we have commenced the reduction of our funded liabilities. Our population has nearly doubled; our taxable property has largely increased; an efficient system of common schools has been adopted, and the People's College erected in every neighborhood. Public Libraries have been established in every township in the State. The waters of the Lakes and the Mississippi have been united, by the longest line of continuous Canal upon the continent; and our commercial, manufacturing, and agricultural interests have been carefully fostered, and widely extended.

The ties, which have so long existed between me, as your chief Executive officer, and you, as my constituents, are soon to be dissolved; and I cannot let the opportunity pass, without renewing, to you, my assurances of regard.

During my official term of seven years, I have encountered many occasions of excitement, and participated in many scenes of trial and anxiety. I have, occasionally, differed from the Legislature, in regard to great questions of public policy; but, while my motives have been misconstrued, and ill feelings sometimes engendered, He who rules our destinies, and knows the secrets of the hearts of men, can bear witness to my earnest desire, in all things, to promote the prosperity, and advance the true interests of the State. It has been my highest aim to serve the people faithfully; and I have been more than repaid by the numerous evidences of their approbation. My only regret is, that my ability to promote their interests, has not been equal to my desire. I have warned them, diligently, against all projects, in whatever quarter arising, which threatened an encroachment upon their rights; and have given my own example, by refusing all connection with monied corporations, and schemes of dishonest speculation. And, now, gentlemen, earnestly desiring that your labors may contribute to

the advancement of the best interests of the State, the first wi
of my heart being its prosperity, I commend your deliberations
the supervision and guidance of the Supreme Ruler of the u
verse.

JOSEPH A. WRIGHT

INDIANAPOLIS, Ind., January 9, 1857.